

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
CLOSED SESSION DOCKET  
FOR  
TUESDAY, NOVEMBER 15, 2016  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**NOTE:** In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted by Resolution No. R-310153 on Tuesday, December 8, 2015, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 9:00 a.m. Council meeting.**

**Conference with Legal Counsel – existing litigation, pursuant to California Government Code Section 54956.9(d)(1):**

**CS-1** *Center for Local Government Accountability v. City of San Diego*  
San Diego Superior Court Case No. 37-2014-00030567-CU-JR-CTL

Acting ACA Assigned: D. Karlin

Plaintiff sued the City of San Diego and the Council President for violation of the Brown Act, a state law that governs public meetings. In the lawsuit, Plaintiff asserts that the public must be afforded an opportunity for non-agenda comment at both the regular Monday and Tuesday Council meetings. The City Attorney’s Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-2** *Susan Miller v. City of San Diego*  
San Diego Superior Court Case No. 37-2015-00037336-CU-PO-CTL  
Risk Management Department Claim File No. 11575

DCA Assigned: B. Murphy

Plaintiff tripped and fell, resulting in serious injuries to her face. She fell due to a raised sidewalk in downtown San Diego that was uplifted by tree roots. The City Attorney’s Office will update the Mayor and the City Council on the status of the litigation and seek direction.

**Conference with Legal Counsel – significant exposure to litigation, pursuant to California Government Code Section 54956.9(d)(2):**

**CS-3 *Claim of Steve Huemmer and Angela Garner***

Risk Management Department Claim File No. 12149

DCA Assigned: P. Prather

The City Attorney's Office will discuss with the Mayor and City Council a threat of litigation made by Steve Huemmer and Angela Garner relating to damages caused by a broken City of San Diego water main.

**Conference with Legal Counsel – existing litigation, pursuant to California Government Code Section 54956.9(d)(1):**

**CS-4 *Cathleen Summerford v. City of San Diego***

San Diego Superior Court Case No. 37-2015-00034128-CU-PO-CTL

DCA Assigned: C. Turner

This case arises from a bicycle accident that occurred on a street in La Jolla, San Diego. The City Attorney's Office will update the Mayor and City Council on the status of the litigation and seek direction.

**CS-5 *Denise Mills v. City of San Diego***

San Diego Superior Court Case No. 37-2015-00038368-CU-OE-CTL

Risk Management Department Claim File No. 11960

DCA Assigned: A. Mullins

This is an employment case that arises from allegations of harassment and discrimination based on pregnancy. The City Attorney's Office will update the Mayor and City Council the status of the litigation and seek guidance.